

EXHIBIT K

Tracy Young

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Gaston, et al. v. The Islamic Republic of Iran</i>	18-cv-12337 (GBD)(SN) ECF Case

DECLARATION OF TRACY YOUNG

I, Tracy Young, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than eighteen (18) years of age and I have personal knowledge of and am competent to testify to the matters stated in this declaration.
2. I am a citizen of the United States today, as I was on September 11, 2001.
3. On September 11, 2001, I was present in New York City after the terrorist attacks on the World Trade Center (WTC) occurred.
4. I was a police officer with the New York City Police Department (NYPD), but I was also a member of the New York Army National Guard. I was the commander of Alpha Company, 1st Battalion of the 101st Cavalry which was activated on 9/11 in response to the attacks. I reported to the New York National Guard Armory on Staten Island. I led an advance team with medics and mechanics into New York City to Ground Zero. We were among the first military units to respond, arriving twelve hours after the attacks. Our duties in the aftermath of the attacks included setting up an aid station, establishing a security perimeter around Ground Zero, and assisting in the search and rescue mission by clearing debris and searching for survivors. The first day we remained onsite until the evening of September 13.

5. In the two weeks that followed, my unit remained at Ground Zero, assisting in the recovery effort, providing security, in addition to logistic and administrative support. We were placed on twelve-hour shifts and I was present, working at the site, until we were released on September 25.

6. I returned to my duties with the NYPD and from December 2001 until June of 2002 I worked at both Ground Zero and the Fresh Kills Landfill on Staten Island. I spent at least two hundred and fifty hours at each of these locations during the six months I was involved in the recovery effort. At both sites we continued to sift through debris searching for evidence and human remains.

7. During my initial exposure at Ground Zero with the Army National Guard, I wore no personal protective equipment other than my uniform and paper masks which were not very effective against the dust, soot, and other fuel and chemical compounds that were in the air we were breathing. At the landfill, where we were constantly sifting through debris, we were provided with clothing, boots, gloves, and respirators.

8. In 2002, during and after working at the WTC sites, I developed a persistent cough. I subsequently went to see a pulmonologist without any definitive resolution. I dealt with the cough and other respiratory and sinus issues for several years and in 2009 I began participating in the World Trade Center Health Program (WTCHP), with physical monitoring every year. In 2016 my health took a dramatic turn for the worse. I developed pneumonia, strep throat, and an ear infection, in addition to the sinus and respiratory conditions I had been dealing with for years. Through the WTCHP I began receiving prescriptions for multiple medications in addition to the over-the-counter medications I was taking to control my symptoms. I have also been required to use a CPAP machine at night, due to the onset of obstructive sleep apnea. In 2023 I was diagnosed

with melanoma on my right leg, above the knee. I underwent surgery to remove the cancer and I now return to the dermatologist every six months for monitoring. I still participate in the annual WTCHP monitoring as well.

9. Following the diagnoses of my medical conditions by the WTCHP, I applied to the Victim Compensation Fund (VCF) for the injuries I suffered deemed to be causally connected to my exposure to environmental toxins at Ground Zero and Fresh Kills Landfill. The VCF found that I was eligible for compensation based on the information it received for the following injuries: chronic rhinitis, sinusitis, and gastro-esophageal reflux disease; with related physical condition of obstructive sleep apnea, and malignant melanoma of the right lower limb, including the hip. A true and correct copy of the VCF eligibility determination letter documenting the physical injuries I suffered from the attacks on 9/11 is submitted with this declaration as part of this exhibit.

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 22 day of July, 2025.


Declarant Tracy Young

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February 29, 2024

TRACY YOUNG
**Re: CLAIM NUMBER: VCF0056554**

Dear TRACY YOUNG:

The September 11th Victim Compensation Fund ("VCF") previously sent you an Eligibility determination letter on August 12, 2020 explaining the outcome of the review of your claim. The letter included a list of condition(s) deemed eligible for compensation. You then amended your claim to add one or more new conditions.

The VCF has considered your amended claim and reviewed the new information you provided. This letter sets forth the revised eligibility determination and supersedes and replaces the previous letter.

The Decision on your Claim

Based on the information you submitted and information the VCF has received from the World Trade Center ("WTC") Health Program, you have been found eligible for the injuries listed below. *This list includes all injuries for which you have been found eligible.*

- CHRONIC RHINITIS AND RELATED PHYSICAL CONDITIONS: OBSTRUCTIVE SLEEP APNEA
- ESOPHAGEAL REFLUX AND RELATED PHYSICAL CONDITIONS: OBSTRUCTIVE SLEEP APNEA
- MALIGNANT MELANOMA OF RIGHT LOWER LIMB INCL HIP
- UNSPECIFIED SINUSITIS AND RELATED PHYSICAL CONDITIONS: OBSTRUCTIVE SLEEP APNEA

Please note that there are several reasons why an injury that you think should be eligible is not listed above. For non-traumatic injuries, the name of the injury is based on the information provided by the WTC Health Program and there may be different names for the same injury. Additionally, your injury may not be listed if it was only recently certified for treatment by the WTC Health Program.

If in the future the WTC Health Program should notify you that a condition previously found eligible is no longer certified, you must inform the VCF as this may affect your eligibility status and/or the amount of your award.



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www.vcf.gov / VCF Helpline 1-855-885-1555

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**What Happens Next**

You submitted the Compensation portion of your claim form. The VCF will contact you if additional information is needed in order to calculate your award. **If you believe your new condition(s) changes your compensation claim**, you should amend your claim. For example, if your new condition is the reason you are not able to work, you should provide that information to the VCF by amending your claim. Please see the www.vcf.gov website for additional details on how to amend your claim.

If your newly eligible condition(s) does not change your compensation claim, you do not need to take any action at this time.

If in the future the WTC Health Program certifies you for treatment for a condition that was not previously certified, you may amend your claim. The VCF will review the new information and determine if it provides the basis for a revised decision.

If you have questions about the information in this letter or the claims process in general, please call our toll-free Helpline at 1-855-885-1555. Please have your claim number ready when you call: **VCF0056554**. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.

Sincerely,

Allison Turkel
Special Master
September 11th Victim Compensation Fund

MATTHEW MCCAULEY can access the electronic copy of this letter uploaded to your online claim.